

FILED  
CHARLOTTE, N. C.

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
NO. 3:06CR164-W

JAN 24 2007

U. S. DISTRICT COURT  
W. DIST. OF N. C.

UNITED STATES OF AMERICA

**MOTION FILED UNDER SEAL**

v.

**MOTION TO MODIFY  
CONDITIONS OF RELEASE**

RONTREY ERIC DIGSBY,

Defendant.

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Defendant, by and through undersigned counsel, moves this Honorable Court for an Order Modifying the Conditions of his Release.

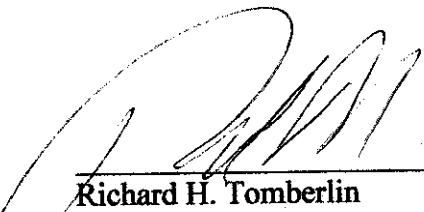
Currently the defendant is released from detention on the condition that he abide by a curfew from 10:00 p.m. until 6:00 a.m that is enforced by Pretrial Services either through electronic monitoring or a telephone voice recognition system.

The defendant is working with law enforcement officers and his assistance is needed at various and random times which conflict with both the curfew and the electronic monitoring and telephone voice recognition system. It is the defendant's desire to be released from those conditions and neither Probation nor the Government objects to the deletion of those conditions.

WHEREFORE, the defendant prays:

1. This Motion be accepted and filed "Under Seal" and that any order entered as a result of this motion be "Under Seal";
2. The conditions of his release be modified to strike the curfew and the electronic monitoring and telephone voice recognition system as conditions of his release.

Respectfully submitted this 24th day of January, 2007.



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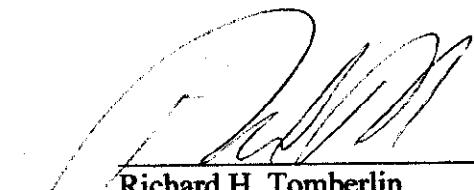
Richard H. Tomberlin  
Attorney for Defendant  
N. C. State Bar No. 8060  
301 S. McDowell Street, Suite 1210  
Charlotte, North Carolina 28204  
Telephone: (704) 373-09779

**CERTIFICATE OF SERVICE**

This is to certify that I have served a copy of the foregoing through hand delivery or by fax and U.S. Mail as follows:

Mr. Kevin Zolot  
Assistant U. S. Attorney  
227 W. Trade St., Suite 1650  
Charlotte, NC 28202

This the 24<sup>th</sup> day of January, 2007.



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Richard H. Tomberlin  
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